

APR 05 2007

## REMARKS

### Interview Summary

The Assignee thanks the Examiner for taking the time to discuss the Final Office Action dated November 9, 2006, and the Advisory Action dated February 2, 2007, via telephone conference on March 9, 2007. During the telephone conference, the Examiner's application of the Hayashi reference to the pending claims was discussed. The Assignee explained that neither the level sensor 27, the remote controller 60, nor any other element disclosed in Hayashi is an operator interface operable to report signal strength of the operator designated program located in the first incoming signal and accept an activation signal that directs the receiver to switch reception to the first incoming signal. In response to the Assignee's explanation, the Examiner stated that she would need to perform a new search.

### Follow-up Remarks

#### 1. 35 U.S.C. § 103

In order to reject the claims, the Final Office Action relies on five different references to form 11 distinct §103 rejections. In the rejection of independent claims 1, 7, and 13 the Final Office Action asserts that Hayashi discloses an operator interface (the remote controller 60) that reports signal strength of a designated program. Assignee respectfully disagrees. With respect to independent claims 18, 22, 26, and 30, the Assignee proposes the above amendments to claims 18, 22, 26, and 30 to include the operator interface feature.

Hayashi is directed to a "display apparatus displaying operation menu". In Hayashi, a level sensor 27 detects the level of the received signal at the broadcast satellite (BS) antenna 21. The level sensor detects the output signal of the BS tuner 23 specifically in the 8 MHz band, not in any operator designated program. (Hayashi, Col. 3, lines 61-65). Even if one considers the level sensor to report signal strength to the microcomputer 41, the reported signal strength is NOT the signal strength of an operator designated program, as claimed. Instead the level sensor is specific to the 8 MHz band. In addition, the level sensor does not accept an activation signal that directs a receiver to switch reception to a first incoming signal. Accordingly, the level sensor is not an operator interface that reports signal strength

of an operator designated program located in the first incoming signal and accepts an activation signal that directs the receiver to switch reception to the first incoming signal.

The Final Office Action asserts that the remote controller 60 in Hayashi is an operator interface that reports signal strength. Figure 3 shows the remote controller 60. The controller 60 includes cursor switches, a decision switch, and a power switch. However, notably absent is any indicator of the detected level. (Hayashi, Figure 3, Col. 6, lines 28-44). Accordingly, the remote controller 60 is not an operator interface that reports signal strength of an operator designated program located in the first incoming signal and accepts an activation signal that directs the receiver to switch reception to the first incoming signal.

The Advisory Action dated February 2, 2007, maintains that "the claim does not specifically cite where the reporting is reported to." Even assuming this is the case, Hayashi does not disclose an operator interface operable to report signal strength of an operator designated program and accept an activation signal, regardless of where signal strength is being reported to. In fact, Hayashi examines the signal level internally without reporting it through an operator interface. Hayashi examines the signal strength in a specific fixed band (i.e., 8 MHz) to determine whether the received signal is an NTSC or HDTV signal. Depending on the type of signal detected, the system controls a switch to select signals from different video circuits. (Hayashi, Col. 7, lines 37 - 65).

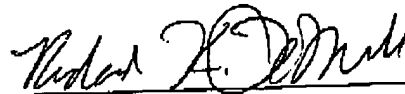
In other words, Hayashi does not report signal strength through an operator interface, nor does Hayashi report signal strength of an operator designated program. Therefore, none of the asserted combinations with Hayashi teaches the subject matter of claims 1-17, or the subject matter of claims 18-33 as amended in this proposed amendment. Assignee respectfully requests entry of the proposed amendments and withdrawal of the §103 rejections.

#### Summary

Alone or in the asserted combinations, the cited references fail to teach or suggest the claimed subject matter. Assignee therefore respectfully requests withdrawal of the rejections and allowance of the claims. Assignee invites the Examiner to contact the undersigned

attorney via telephone if the examiner has any questions, comments, or concerns, or if a telephone conference would expedite examination of this application.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Rickard K. DeMille", written over a horizontal line.

Rickard K. DeMille

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